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REMARKS

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Claims 21, 22, 25-29, 31-34, 37-54, 62 and 71-79 remain pending in the application. Claims 21, 37, 42, 47, 50 and 51 have been amended herein.

Claim 42 has been rejected as being indefinite. The claim has been amended in accordance with the Examiner's suggestions.

In light of Applicant's last response, the Examiner has withdrawn all of the previous prior art rejections. However, the Examiner has leveled some new rejections in view of newly cited prior art.

Claims 47-54 stand newly rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,716,396 to Williams, Jr. Applicant disagrees with this assessment.

In the first place, claim 47 has been amended in the language describing the connectors. Applicant believes that the original "connecting segment" language describes a connector that is not a feature of the Williams stent; the Williams welds are nothing like the connections of the instant stents. Nonetheless, claim 47 has been amended to convey without any possible ambiguity the clear distinction between the Williams and instant connectors as amply shown in the respective sets of figures.

Among the features of the present stents that the Examiner alleges to be anticipated by the cited reference is the feature

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of a "plurality of connecting segments" connecting peaks to valleys. The Examiner refers to Williams Figures 2 and 3, and column 4, lines 54 and 55 as support for this portion of the analysis. Although it may be said that the welds of the Williams stent join peaks to valleys of adjacent repetitious patterns, these are most certainly not the "connecting segments" recited in the claims at the time of examination and disclosed in the specification, nor are they the "connecting bridges" of the claims as amended herein.

The Williams passage cited by the Examiner teaches that the elements joining adjacent pairs of connecting portions are welds. No new or discrete material is provided by these welds; they merely constitute fusion of material already present in peaks with material already present in the adjacent valleys and cannot in any way be construed as segments or bridges. Williams thus does not refer to, for example, "connecting segments" or "connecting bridges" for good reason. There are no discrete connecting segments in the Williams stents, let alone the discrete and specifically designed connecting segments/bridges of the present stents.

As seen in the figures, the instantly claimed stents do contain such connecting segments. As can further be seen from the figures, the discrete connecting segments or bridges provide material length between the portions of the patterns they

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connect. This length, together with the design of the connecting segments, allows for the desired radial expansion, while maintaining longitudinal stability of the stents during deployment. In other words, there is a minimum of undesirable foreshortening. On the other hand, there is no way the foreshortening of the Williams stents can be avoided as the stent expands radially. The linking of adjacent portions of the patterns in the Williams stents allows no such material length between adjacent portions of the pattern, nor does it enable longitudinal stability during the required radial expansion connected with deployment. The Williams welds thus do not, and cannot, afford minimization of foreshortening. Accordingly, whether or not the Williams welds can be said to afford a continuous piece of material, neither they nor their properties are anything like those of the connecting segments or bridges of the instant stents. On this basis alone, it cannot be said that the Williams patent teaches each and every element of the rejected claims, and this rejection must be withdrawn.

Claim 47 has also been amended to recite that the connecting bridges are radially expandable. Although this further description of the features of the instant stents is not necessary to make the claimed subject matter patentably distinct over the cited prior art, it is Applicant's wish to recite with clarity this feature of the claimed stents. Support for this

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amendment can be found on, for example, page 17, lines 4-17 of the instant specification.

Previously rejected claims 21, 22, 25-29 and 31-34 stand newly rejected under 35 U.S.C. §103(a) as being obvious over the same Williams patent in view of U.S. Patent No. 5,507,767 to Maeda et al. Furthermore, claims 37-46, previously held by the Examiner to be allowable, have been included in this new rejection. Again, Applicant disagrees with this assessment.

Just as instant claims 47-54 are directed to stents with the discrete connectors depicted in the instant figures, so too are rejected independent claims 21 and 37, as well as their respective dependent claims. An analysis of what the original "connecting element" language of claims 21 and 37 encompasses has been obviated, since, as with claim 47, claims 21 and 37 have been amended to recite "connecting bridges" and further clarify the irrefutable distinction between the Williams and instant connectors. Accordingly, there is a fundamental gap in the teaching of the primary reference. Not only is this important feature of the instant stents not expressly taught by Williams, but it cannot be said by any stretch of the imagination that the Williams welds would in any way suggest the discrete and specifically designed connectors of the instant stents.

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Still further, claim 37 has been amended by incorporation of the language "wherein the connecting bridges are **integral** portions of the first and second patterns" [emphasis added], language which was already present in claim 21 and is equally applicable to the stent recited in claim 37. Thus, these claims recite a crucial feature that is undeniably missing from the Williams stents. If one were to remove the Williams "connecting elements" (i.e., the welds), only one of the helical patterns would be lost and, thus, the Williams connecting elements are not integral to both helical patterns. On the other hand, if one were to remove the "connecting bridges" from the instant stent, the whole structure would fall apart and both helical "segments" or "patterns" would be lost.

The Maeda reference has been cited specifically because of the alleged disclosure of a stent including "first and second square-like tubular ends." This teaching, whether or not it exists in Maeda, cannot be said to shed the necessary light on the connecting segments of the present stents that is missing from Williams, and the Maeda reference is silent with respect to the fundamental gaps in Williams. The combination of Williams and Maeda is thus ineffective in either teaching or suggesting the stents described in the rejected claims. This rejection must also be withdrawn.

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As with claim 47, claims 21 and 37 have further been amended to specify that the connecting bridges are radially expandable. Again, this was not necessary to distinguish the claimed subject matter from the cited prior art; the amendment was made simply in the interest of more particularly describing one of the features of the claimed stents.

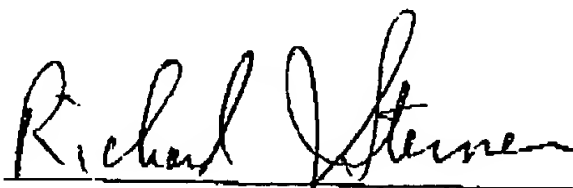
Claims 62 and 71-79 have already been acknowledged by the Examiner to be allowable in their present form. The amendment herein of claim 42 renders moot its rejection as being indefinite. Furthermore, as set forth clearly above and as reinforced by the claim amendments, the invention as recited in claims 21, 22, 25-29, 31-34 and 37-54 is patentably distinct over the cited prior art. Reconsideration and allowance of the application with pending claims 21, 22, 25-29, 31-34, 37-54, 62 and 71-79 are respectfully requested. Should any other matters require attention prior to allowance, it is requested that the Examiner contact the undersigned.

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No additional fees should be required in connection with this communication. However, should it be determined that an additional fee is due for any reason, the Commissioner is hereby authorized to charge it to Deposit Account No. 23-1703.

Date: December 30, 2005

Respectfully submitted,



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